

**Legislative Interview – Pennsylvania Senator Joe Pittman**  
**Tuesday, March 30, 2021 at 7:00 p.m. via Zoom**

Section Leaders:

1. Act 77 – Aida Shotts
2. Redistricting Reform - Sara Steelman
3. Judicial Districts - Stanley Chepaitis
4. Legislative Rules - Vicki Stelma
5. Open Primaries – Cindy Rogers
6. National Popular Vote Compact – Ellen Chinn
7. Regional Greenhouse Gas Initiative - Cindy Rogers
8. Legislative priorities for 2021 – Aida Shotts
9. Public School Funding - Susan Welsh

Note-takers: Joyce Rizzo and Anne Simmons

Facilitator of ‘Chat’: Cindy Rogers

Participants: 21

1. Section 1: ACT 77 – Aida Shotts
  - a. What specific changes to Act 77 would you support?
  - b. What changes would you oppose?
  - c. Would you support the pre-canvassing of absentee and mail-in ballots?
  - d. Would you support the elimination of secrecy envelopes?

*Senator Pittman:*

What you laid out there is what we can spend our entire time talking about. Let’s start at the end. I will not support eliminating the secrecy envelope; anyone who knows the voter and opens the envelope will know who the voter is voting for. It is hard to have a conversation about voter fraud – people who vote and people who are not supposed to vote – ‘dead voters’; impossible to extract their ballot; most important part of our entire process; need to have voter rolls that are accurate and correct – not eligible to vote multiple times; make sure they are not dead.

I did vote for Act 77. It made sense to me. There was an important gap to fill. There were challenges (voting during a pandemic in the November 2020 General Election); ballots showed up after 5:00 p.m. This happened to my wife many years ago; it is important to centralize the counting of the ballots – how they are counted.

My biggest problem is what has changed after the fact; where I think we went off the rails – by the Governor and by the courts – waiting three days for the ballots to show up, allowing for drop boxes; changing definition of ‘shall’ – you need to sign and date your envelope.

All this further fed into the belief that this was being mishandled. You can’t make changes to the election code without changing the law – changes were unilaterally made.

We need to have renewed confidence; recanvassing is something that we need to look at; the observation of the count; the problems in Philadelphia with the observations; access that poll watchers have...

I am concerned with absentee applications and absentee ballots; confusion within the community – many groups mailed out applications for absentee ballots. I do not agree with the provision in Act 77; with the automatic check-off; I want voters to have to apply for a ballot prior to each election.

In reference to Act 77, all of that needs to be looked at; bipartisanship; there is a significant part of the population in the Commonwealth and the County that believe that the votes were not conducted in a fair manner – that perception has been propelled. We need to remove the emotion from the discussion when we talk about Act 77.

2. Section 2: Redistricting Reform – Sara Steelman

- a. Have you had a chance to review LACRA, the Legislative and Congressional Redistricting Act?
- b. Will you plan to support it?
- c. Do you have any further thoughts on redistricting reform?

*Senator Pittman:*

Yes, I am familiar with LACRA. [LACRA information and supplemental materials were previously dropped off at Senator Pittman's office on Philadelphia Street, Indiana by members of Fair Districts PA.]

Here we are now as a result of the pandemic; the Census bureau – not having the actual data to do this in an open and transparent process, new deadline – gives us 3 months for both processes. With legislative redistricting; it is a challenge – we will lose a district; the timeframe is compressed. I continue to say, there is no pure way to do redistricting; districts were gerrymandered; try to understand broad parameters, what is meant to be compacted and contiguous...

Am I open to Senate Bill 222? Yes. But, are we able to find a way to do this in a way that avoids a political process... Not having the census data is a problem.

*League member:* The positive is that the house and senate have the time to pass the redistricting bills. There was an article in the Indiana Gazette about the LACRA bill. The bill states that the fifth person on the committee cannot be an elected official or a lobbyist. If that vote comes to the floor, will you work for it?

*Senator Pittman:*

I will vote for it. There is a hyper-partisan Supreme Court; I will not make a decision until I read the bill. I have a lot of respect for Senator Argall; I will most likely support it.

*League member:* Would you also join other members of your caucus to appoint a person rather than wait for the Supreme Court to do this?

*Senator Pittman:*

Senator Kim Ward had been proactive. This is hard to do without the data, the census data. I support bringing a fresh pair of eyes to this. Everybody's idea of what a fair district looks like is different. You cannot make the districts competitive. The district that I represent is not competitive unless you draw it into Allegheny County. There are many natural boundaries, rivers for example. This state by virtue of its demographics make it challenging to draw district lines. Districts are not competitive; they have become very monolithic. We need to keep that in mind when we talk about redistricting

*League member:* The language in LACRA considers the boundaries of counties. You support that position – correct?

*Senator Pittman:*

Yes; However, do not be deceived by a map; you will not have perfect squares. As an example, Monroeville has strange boundaries.

*League member:* Why have you not co-sponsored LACRA?

*Senator Pittman:*

I did not sign on. I thoroughly review bills before I sign on.

3. Section 3: Judicial Districts – Stanley Chepaitis

- a. What can you tell us about HB 196 and the motivation behind it?
- b. Are you concerned about the way it would threaten the independence of our judiciary? Why or why not?
- c. Do you plan to vote for the judicial district amendment HB 196 if it comes up for another vote?

*Senator Pittman:*

When I look at the courts - most judges come from Allegheny County and the Northeast; the portion of the voice; we need to make the courts more diverse; the idea of giving small-rural areas more of a voice – allow for all parts of the state to have a voice in the judiciary. I do not find the judiciary independent in thought.

*League member:* There are many contrary opinions. I am sure that you are aware of them. The appellate courts – do not represent areas or people living in areas of Pennsylvania – the judiciary is to decide cases based on the law and the facts in front of them (not to provide political representation for Pennsylvanians in a specific region of the state). The courts look at the total state impact. The establishment of judicial districts has the appearance of the wish to control the courts. The knowledge of the law is the most important (consideration in the election of judges) and how to answer those objections.

*Senator Pittman:*

We elect our judges. We engage in a political process. We want to select judges based on merit.

*League member:* The congressional delegation is gerrymandered.

*Senator Pittman:*

[Senator Pittman provide examples of gerrymandered districts in Pennsylvania]...  
Divided counties in mid-cycle; example Butler County; carved Johnstown out of Cambria County; created a district for Senator Lamb.

I have lost a lot of confidence in our judiciary; it needs to be reflective of all corners of the Commonwealth.

4. Section 4: Legislative Rules – Vicki Stelma

- a. Why would HB 196 pass without any expert testimony or clear public support, while redistricting reform bills, with clearly documented public support, never received a vote? Would you support rules to make sure bills with bipartisan support receive a vote in committee?
- b. Would you support rules that ensure bills voted favorably from committee with bipartisan support receive a vote on the floor?
- c. Would you support a commission to study the rules and recommend changes?
- d. What specific changes to the rules or to committee composition would you want to see?

*League member:* Consider how nonpartisan redistricting bills do not move forward, and other Bills move forward with no support from the other party.

*Senator Pittman:*

I want to underscore that HB 196 is a constitutional question; and if it is passed in the second session; then the voters need to vote to pass it. It is a much different process and scenario.

I thought about the rules; the swearing-in in early January; one of issues is... we have elections just like we have...

House, Senate, and Executive are controlled by the Democrats. The same has happened in Harrisburg – Republican-controlled legislature and Democratic Governor; We have moved miles – I am not sure bills that are pushed to the floor because they are bipartisan makes sense – we have rules; we have a structure for a reason.

*League member:* Why?

*Senator Pittman:*

Any governmental agency with a full body; you have a committee structure – spread the issues out – try to get to a point of consensus.

*Senator Pittman:*

I sponsored Senate Bill 109. We allocated stimulus dollars into small business, urban affairs and housing - rental assistance, and added funding community colleges. I worked quickly and it was bipartisan.

It is the reality of life. We do find ways to work together. It has to do with the interest of the chair. What I was trying to distinguish – constitutional amendment versus a piece of legislation. The point of the process – legislation passed the first time, then it goes before the voters.

5. Section 5: Open Primaries – Cindy Rogers
- Do you have an opinion about open primaries?
  - Do you have a preference between open or hybrid primaries?
  - Would you support one or both of those options?

*Senator Pittman:*

I would allow unaffiliated voters to vote for one or the other political party.

6. Section 6: National Popular Vote Compact – Ellen Chinn
- Are you aware of the push for 270 by 2024?
  - Would you support Pennsylvania’s adoption of the compact?

*Senator Pittman:*

I am aware of the National Popular Vote Compact and the push for 270 by 2024. I do not support Pennsylvania’s adoption of the compact. The electoral college is fundamental to our constitutional democracy and it provides a measure of fairness to both large and small states.

7. Section 7: Regional Greenhouse Gas Initiative - Cindy Rogers

- Should Pennsylvania join RGGI? Why/why not?

*Senator Pittman:*

I am opposed to RGGI. It will not reduce carbon emissions. Under RGGI, the power plants have to continue to emit carbon and purchase credits. My biggest concern is that there are three power plants in this district which offer good-paying jobs for my constituents and the plants pay huge amounts of property tax. RGGI is a regressive tax which will be paid by businesses and consumers in higher utility bills.

*League member:* RIGGI will bring new jobs, renewable energy jobs to Indiana County.

*Senator Pittman:*

I believe that power plants need to be updated and improved with technology. Solar power and wind power are important sources of energy, but every source of energy has a weakness. Therefore, it is important that Pennsylvania blend existing coal and natural gas technologies with newer sources of renewable energy. There needs to be a competitive variety of energy sources. Just using renewable sources would not create sufficient energy for business and consumer demands.

I am in favor of carbon capture and sequestration, a technology that collects carbon emissions from coal-fired power plants and, through a pipeline, traps it way down in the earth.

8. Section 8: What are your own legislative priorities for the session ahead? – Aida Shotts

*Senator Pittman:*

My legislative priorities are:

- To encourage emerging technologies;
- Economic revitalization, especially post-pandemic;
- Covid-19 vaccine rollout throughout the state;
- Broadband infrastructure; and
- Transportation infrastructure and diverse ways of raising revenue to accomplish it.

9. Section 9: Public School Funding – Sue Welsh

- a. Would you support holding charter schools to the same education funding formula that is applied to students in the traditional public schools? Why or why not?
- b. Would you support legislative efforts to create fairer cyber charter tuition rates? Why or why not?
- c. How do you plan to increase the state share and decrease the local share to fund public schools?

*Senator Pittman:*

I support holding charter schools to the same education funding as traditional schools. I believe that parents deserve to have a choice in how their children are educated, but there needs to be fairness in how these alternative programs are funded.

Special education funding is a complex and difficult process and federally driven. Special education funding should be based on the degree of students' needs and that there should be differing levels dependent on these needs.

The state of Pennsylvania has increased funding for education year after year, but the state funding can't keep up with local school districts' spending. The major spending from the state's 500+ school districts is employee costs.

Much of the pandemic stimulus money from the federal government will be arriving at Pennsylvania's schools in the near future. This will be a one-time payment and the major issues will be how the schools can legitimately use the money and how they can use the money in an efficient manner.